

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2008-117630-001 DT

01/09/2009

HONORABLE JAY L. DAVIS

CLERK OF THE COURT  
K. Miller  
Deputy

STATE OF ARIZONA

HEATHER LEE KIRKA

v.

HEATHER LEANN KELLUMS (001)  
DOB: 10/12/1973

RHONDA A O'NEAL

APO-SENTENCINGS-CCC  
APPEALS-CCC  
DISPOSITION CLERK-CSC  
PRETRIAL SERVICES AGENCY-CCC  
RFR  
VICTIM SERVICES DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:59 a.m.

Courtroom 1

State's Attorney:	Todd Hannant for Heather Kirka
Defendant's Attorney:	Rhonda O'Neal
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Mary Kellums addresses the Court.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

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IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (amended) Theft  
Class 6 designated felony  
A.R.S. § 13-1801, 1802, 610, 701, 702, 702.01, 801; 12-114.01  
Date of Offense: on or between 6/26/2006 & 10/30/2006  
Non Dangerous - Non Repetitive

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 1 Probation Term: 2 years

To begin 1/9/2009.

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

RESTITUTION: Count 1 - \$2,887.00 payable \$100.00 per month, beginning 3/1/2009, to the following persons:

National Document Center	(Business)	\$2,500.00
Mo Money Pawn Shop	(Business)	\$387.00

Restitution ledger provided; priority of payment as stated in the restitution ledger.

PROBATION SERVICE FEE: Count 1 - \$50.00 per month, beginning 3/1/2009.

ASSESSMENTS:

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

Count 1: PROBATION SURCHARGE: \$10.00.

All amounts payable through the Clerk of the Superior Court.

Condition 17 - Not consume or drink any substance containing alcohol.

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Condition 21 - Count 1: Be incarcerated in the county jail for 3 day(s), beginning 1/12/2009 with credit for 0 day(s) served. Defendant is to report to Lower Buckeye Jail no later than 10:00 a.m., 1/12/2009.

Not to be released until 1/15/2009.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

Condition 24 - Participate and cooperate in any counseling or assistance as directed by the APD as noted in the Uniform Conditions of Supervised Probation.

Condition 26 - Other: Defendant not to return to scene of crime without court approval - Court does approve.

IT IS ORDERED granting the Motion To Dismiss the following: Count 2.

Count(s) 1: IT IS ORDERED Defendant self-surrender to the custody of the Maricopa County Sheriff and authorizing the Sheriff to carry out the term of incarceration.

IT IS FURTHER ORDERED that Defendant must submit to Deoxyribonucleic Acid (DNA) testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 31-281.

10:19 a.m. Matter concludes.

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE JAY L. DAVIS  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)